



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

375 Jackson Street., Suite 220  
Saint Paul, MN 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-1919  
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362

March 30, 2012

10-926719

HSBC Bank USA NA  
Macx 7801013  
3476 Stateview Blvd  
Fort Mill SC 29715-7203

Shapiro & Zielke  
12550 W Frontage Road #200  
Burnsville MN 55337

## Order to Abate Nuisance Building(s)

Dear Sir or Madam:

**The Vacant/Nuisance Buildings Unit, Department of the Department of Safety and Inspections, Division of Code Enforcement, hereby declares the premises located at:**

**852 ALBEMARLE ST**

With the following Historic Preservation information: NONE

**and legally described as follows, to wit:**

Mckentys Out Lots Tost Paul S 15 Ft Of Lot 26 And All Of Lot 27 Blk 3

**to comprise a nuisance condition in violation of the Saint Paul Legislative Code, Chapter 45.02, and subject to demolition under authority of Chapter 45.11.**

On March 28, 2012 a Building Deficiency Inspection Report was compiled and the following conditions were observed.

**This list of deficiencies is not necessarily all the deficiencies present at this time. This building(s) is subject to the restrictions of Saint Paul Ordinance Chapter 33.03 and shall not again be used for occupancy until such time as a Certificate of Compliance or a Certificate of Occupancy has been issued. All repairs must be in accordance with appropriate codes. Changes or additions to the electrical system, mechanical system, or the plumbing system may necessitate updating or upgrading the systems involved.**

This is a two-story wood frame single-family dwelling.

The following deficiency list is excerpted from the November 18, 2010, Fire Inspection Condemnation Letter.

#### DEFICIENCY LIST

1. Basement - NEC 110-26 - Provide and maintain a minimum of 36 inches clearance in front of all electrical panels.
2. Basement - SPLC 34.10 (3), 34.33(2) - Repair or replace the unsafe stairway in an approved manner.
3. Exterior - MSFC 1011.2 - Remove the materials that cause an exit obstruction. Maintain a clear and unobstructed exitway.-Remove all materials causing an exit obstruction on doors and windows.
4. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door in good condition.- Repair or replace all broken exterior doors.
5. Exterior - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the door latch.
6. Exterior - SPLC 34.09 (1) b,c, 34.32 (1) b,c - Provide and maintain all exterior walls free from holes and deterioration. All wood exterior unprotected surfaces must be painted or protected from the elements and maintained in a professional manner free from chipped or peeling paint.
7. Exterior - SPLC 34.08 (5), 34.31 (3) - Repair, replace and maintain all exterior surfaces on fences, sheds, garages and other accessory structures free from holes and deterioration. Provide and maintain exterior unprotected surfaces painted or protected from the elements.
8. Exterior - SPLC 34.08 (7) - All parking spaces shall be paved with asphalt, concrete, or durable dustless surfacing. Before any existing spaces may be paved, site plan approval must be obtained as specified in the St. Paul Zoning Code. Contact DSI Zoning at 651-266-9090.
9. Exterior - SPLC 34.08 (9) - Provide and maintain an average of 1 foot candle at the pavement of garages and parking areas. This work may require a permit(s). Call DSI at (651) 266-9090.
10. Exterior - SPLC 34.08 (2) - Provide and maintain the property grade to slope away from the building to minimize the accumulation of water near the building. This work may require a permit(s). Call DSI at (651) 266-9090.
11. Exterior - SPLC 34.08 (3) - Provide and maintain suitable ground cover on all exterior areas to control erosion.

12. Exterior - SPLC 34.08 (10) - Repair, replace and maintain exterior sidewalks, walkways and stairs.
13. Exterior - SPLC 34.09 (1) a, 34.32 (1) a - Provide and maintain foundation elements to adequately support this building at all points.-Repair and patch the foundation that is deteriorated.
14. Exterior-Throughout - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window in good condition.
15. Exterior-Throughout - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window lock.
16. Exterior-Throughout - SPLC 34.09 (3), 34.32 (3) - Repair and maintain the window frame.
17. Exterior-Throughout - SPLC 34.09 (3), 34.32 (3) - Provide or repair and maintain the window screen.
18. Interior - SPLC 34.14 (2), 34.34 (5) - Provide an approved electrical service adequate to meet the buildings needs. This work requires a permit(s), call DSI at (651) 266-9090.- Hire a licensed electrician to restore all electrical to the building and repair all exposed wires, broken fixtures to code under permit.
19. Interior - MSFC 901.6 - Provide required annual maintenance of the fire extinguishers by a qualified person and tag the fire extinguishers with the date of service.
20. Interior - SPLC 34.10 (4), 34.33 (3) - Provide a bathroom floor impervious to water.- Replace the bathroom floor.
21. Interior - SPLC 34.23, MSFC 110.1 - This occupancy is condemned as unsafe or dangerous. This occupancy must not be used until re-inspected and approved by this office.-Lack of basic facility. Lack of electric service and exposed wires creating a fire hazard.
22. Interior - SPLC 34.10 (5), 34.33 (4), 34.16 - Provide and maintain interior in a clean and sanitary condition.
23. Interior - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the floor in an approved manner.-Replace all floor tile/vinyl in the kitchen, bathroom, laundry room, and repair or replace the deteriorated carpet throughout.
24. Interior - UMC 504.6 - Provide, repair or replace the dryer exhaust duct. Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish. The exhaust duct shall be a minimum nominal size of four inches (102 mm) in diameter. This work may require a permit(s). Call DSI at (651) 266-8989.

25. Interior - SPLC 34.11 (6) - Provide and maintain a minimum of 68 degrees F in all habitable rooms at all times.
26. Interior - SPLC 34.13 (3), SPLC 34.17 (2) - Reduce and maintain the number of occupants in the sleeping rooms to: 2 occupants
27. Interior - SPLC 34.09 (3) i - Provide and maintain an approved one-inch throw single cylinder deadbolt lock.
28. Interior - SPLC 200.02 (a) No person shall own, harbor, keep or maintain in the City and dog over three months of age without a license. Provide written documentation of current license to the Fire Inspector. To obtain a dog license, contact DSI at 651-266-8989
29. Interior-Throughout - MSFC 605.6 - Provide electrical cover plates to all outlets, switches and junction boxes where missing.
30. Interior-Throughout - MSFC 605.1 - Repair or replace damaged electrical fixtures. This work may require a permit(s). Call DSI at (651) 266-9090.-Repair or replace all damaged fixtures throughout the building. Hire a licensed electrician to make repairs to code under permit.
31. Interior-Throughout - MSFC 605.1 - Remove unapproved exposed wiring and install in accordance with the electrical code. This work may require a permit(s). Call DSI at (651) 266-9090.-Remove all exposed wiring throughout the home. Hire a licensed electrician to make all repairs to meet code under permit.
32. Interior-Throughout - MSFC 605.4 - Discontinue use of all multi-plug adapters.
33. Interior-Throughout - MSFC 605.5 - Discontinue use of extension cords used in lieu of permanent wiring.-Immediately discontinue use of extension cords throughout the building including the second floor and basement.
34. Interior-Throughout - MSFC 1003.3.1.8 - Remove unapproved locks from the exit doors. The door must be openable from the inside without the use of keys or special knowledge or effort.-Remove all slide bolts and padlocks from the interior doors.
35. Interior-Throughout - MSFC 605.1- All light fixtures shall be maintained with protective globes if originally equipped.
36. Interior-Throughout - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the walls in an approved manner.-Patch and paint the walls throughout.
37. Interior-Throughout - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the ceiling in an approved manner.

38. Interior-Throughout - SPLC 34.10 (7), 34.33 (6) - Repair and maintain the cabinets in an approved manner.-Repair or replace the bathroom and kitchen cabinets that are broken.
39. Interior-Throughout - SPLC 34.10 (7), 34.33 (6) - Repair or replace and maintain the woodwork in an approved manner.
40. Interior-Throughout - SPLC 34.19 - Provide access to the inspector to all areas of the building.
41. Interior-Throughout - MSFC 1003.3.1.8 - Remove unapproved locks from the unit doors. The door must be openable from the inside without the use of keys or special knowledge or effort.
42. SPLC 34.11 (6), 34.34 (3) - Provide service of heating facility by a licensed contractor which must include a carbon monoxide test. Submit a completed copy of the Saint Paul Fire Marshal's Existing Fuel Burning Equipment Safety Test Report to this office.
43. SPLC 39.02(c) - Complete and sign the provided smoke detector affidavit and return it to this office.

As owner, agent or responsible party, you are hereby notified that if these deficiencies and the resulting nuisance condition is not corrected by **April 30, 2012** the Department of Safety and Inspections, Division of Code Enforcement, will begin a substantial abatement process to demolish and remove the building(s). The costs of this action, including administrative costs and demolition costs will be assessed against the property taxes as a special assessment in accordance with law.

As first remedial action, a Code Compliance Inspection Report must be obtained from the Building Inspection and Design Section, 375 Jackson Street, Suite 220, (651) 266-8989. This inspection will identify specific defects, necessary repairs and legal requirements to correct this nuisance condition. You may also be required to post a five thousand dollar (\$5,000.00) performance bond with the Department of Safety and Inspections before any permits are issued, except for a demolition permit. Call the Department of Safety and Inspections for more information at 651-266-8989.

If this building is located in a historic district or site (noted on page 1, above, just below the property address) then you must contact Heritage Preservation (HPC) staff to discuss your proposal for the repairs required by this order and compliance with preservation guidelines. Copies of the guidelines and design review application and forms are available from the Department of Safety and Inspections web site (see letterhead) and from the HPC staff. No permits will be issued without HPC review and approval. HPC staff also can be reached by calling 651-266-9078.

As an owner or responsible party, you are required by law to provide full and complete disclosure of this "Order to Abate" to all interested parties, all present or subsequent renters and any subsequent owners. The property shall not be sold, transferred or conveyed in any manner until the Nuisance Conditions have been abated and the Certificate of Code Compliance or Certificate of Occupancy has been issued.

The Enforcement Officer is required by law to post a placard on this property which declares it to be a "nuisance condition", subject to demolition and removal by the City. This placard shall not be removed without the written authority of the Department of Safety and Inspections, Division of Code Enforcement. The department is further required to file a copy of this "Order to Abate" with the City Clerk's Office.

If corrective action is not taken within the time specified in this order, the Enforcement Officer will notify the City Council that abatement action is necessary. The City Clerk will then schedule dates for Public Hearings before the City Council at which time testimony will be heard from interested parties. After this hearing the City Council will adopt a resolution stating what action if any, it deems appropriate.

If the resolution calls for abatement action the Council may either order the City to take the abatement action or fix a time within which this nuisance must be abated in accordance with the provisions of Chapter 33 of the Saint Paul Legislative Code and provide that if corrective action is not taken within the specified time, the City shall abate this nuisance. The costs of this action, including administrative costs will be assessed against the property as a special assessment in accordance with law.

If you have any questions or request additional information please contact **Mike Kalis** between the hours of 8:00 and 9:30 a.m. at **651-266-1929**, or you may leave a voice mail message.

Sincerely,

Mike Kalis  
Vacant Buildings Enforcement Inspector

cc: Legistar Approval list and City Council